IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:18CV201

DIXIE GILBERT NELSON,)
Plaintiff,)))
v.)
CEMEX CONSTRUCTION MATERIALS ATLANTIC, LLC,	ORDER)
Defendant.)
)

This matter is before the Court on a Motion to Substitute Parties (# 14). Charles Nelson, Jr., as Executor of the Estate of Dixie Gilbert Nelson, moves this Court to enter an order substituting the Estate of Dixie Gilbert Nelson for the deceased Plaintiff, Dixie Gilbert Nelson. <u>Id.</u> at 1. It appears to the Court that the named Plaintiff is deceased and Charles Nelson, Jr. has been duly appointed and is qualified and acting as the executor of her estate. If further appears to the Court that the cause of action survies the death of the named Plaintiff.

Considering the foregoing, the Motion to Substitute Parties (# 14) is GRANTED. The Court DIRECTS that Charles Nelson, Jr., as Executor of the Estate of Dixie Gilbert Nelson, deceased, is hereby substituted as Plaintiff, and this substitution shall be hereafter reflected in the title of this action.

Signed: September 13, 2018

Dennis L. Howell United States Magistrate Judge

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